

Sequeira

*IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION*

WRIT PETITION NO. 3060 OF 2016

Bharat Nagnath Dorkar

.. Petitioner

Vs

Vishwanath Dattatray Patil & anr.

.. Respondents

Mr.M.R. Deshpande, for the Petitioner.

None for Respondents.

***CORAM : N.M.Jamdar, J.
Thursday, 22 September 2016.***

P.C. :

Not on board. Taken on production board by way of praecipe.

2. The Petitioner challenges the order passed by the learned Civil Judge, Junior Division Solapur, rejecting the application filed by the Petitioner for amendment in the written statement. The learned Civil Judge has noted that the suit is fixed for cross-examination of Plaintiff since long and hearing is already commenced. Furthermore, the learned Civil Judge has noted that the contentions which are sought to be raised by way of amendment are already implicit in the pleadings and which are only being elaborated. That being the position it is open to the Petitioner to urge the grounds which are put forth by way of an amendment application during the course of hearing, as according to the learned Civil Judge, they already stand

included in the written statement. In view of the clarification given by the learned Civil Judge in the impugned order itself it is not necessary to interfere with the impugned order. Writ Petition is disposed of as above.

(N.M.Jamdar, J.)